



Order Filed on January 28, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

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In re:

L'OCCITANE, INC.,

Debtor.

Chapter 11

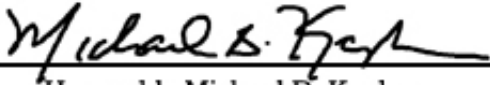
Case No. 21-10632-MBK

Judge: Michael B. Kaplan

**ORDER AUTHORIZING (I)
REJECTION OF CERTAIN UNEXPIRED LEASES OF NONRESIDENTIAL REAL
PROPERTY PURSUANT TO 11 U.S.C. § 365 AND
FED. R. BANKR. P. 6004 AND 6006, (II) ABANDONMENT OF ANY PERSONAL
PROPERTY, EFFECTIVE AS OF THE REJECTION DATE, AND
(III) GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: January 28, 2021


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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DEBTOR: L'Occitane, Inc.

CASE NO: 21-10632-MBK

CAPTION: Order Authorizing (I) Rejection of Certain Unexpired Leases of Nonresidential Real Property Pursuant to 11 U.S.C. §365 and Fed. R. Bankr. P. 6004 and 6006, (II) Abandonment of Any Personal Property, Effective as of the Rejection Date, and (III) Granting Related Relief

Upon the motion (the “Motion”)¹ of the above-captioned debtor and debtor in possession (the “Debtor”), for entry of an order pursuant to sections 365, and 554 of title 11 of the United States Code (the “Bankruptcy Code”), and Rules 6004, 6006 and 9014 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”) for authority to reject certain unexpired leases and abandon certain Personal Property as more fully set forth in the Motion; and the Court having jurisdiction to decide the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157(a), (b) and 1334(b); and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and notice of the Motion having been given as provided in the Motion; and such notice having been adequate and appropriate under the circumstances; and it appearing that no other notice of Motion need be provided; and the Court having held a hearing to consider the relief requested in the Motion (the “Hearing”); and upon the *Declaration of Yann Tanini in Support of Debtor’s Chapter 11 Petition and First Day Pleadings*; the record of the Hearing, and all of the proceedings had before the Court; and the Court having found and determined that the relief sought in the Motion and granted herein is in the best interests of the Debtor, its respective estate and creditors and all parties in interest; that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

¹ Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Motion.

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DEBTOR: L'Occitane, Inc.

CASE NO: 21-10632-MBK

CAPTION: Order Authorizing (I) Rejection of Certain Unexpired Leases of Nonresidential Real Property Pursuant to 11 U.S.C. §365 and Fed. R. Bankr. P. 6004 and 6006, (II) Abandonment of Any Personal Property, Effective as of the Rejection Date, and (III) Granting Related Relief

1. The Motion is GRANTED as set forth herein.

2. The Unexpired Leases contained on Schedule 1 attached to this Order are hereby rejected effective as of the Rejection Date noted on Schedule 1. No later than the Rejection Date noted on Schedule 1, the Debtor shall relinquish control of and surrender the applicable Leased Premises to the Landlords noted on Schedule 1.

3. The Debtor is hereby authorized to abandon any equipment, fixtures, furniture, or other personal property that may be located at the premises and not otherwise moved to another store location (collectively the "Personal Property"), effective as of the Rejection Date noted in Schedule 1. Upon the Rejection Date, any Personal Property remaining on the Leased Premises shall be deemed abandoned by the Debtor (except the Debtor must remove any items containing personal and/or confidential information prior to the Rejection Date), and the Landlords may use or dispose of any Personal Property, in their sole discretion, free and clear of all liens, claims, encumbrances, and interests, without any further notice to any party or Court order, and without any liability to the Debtor and its estate and any third party and without waiver of any claim the Landlords may have against the Debtor and its estate. To the extent applicable, the automatic stay is hereby modified to permit such use or disposition, including but not limited to the transfer of title by the Debtor.

4. Notwithstanding Bankruptcy Rule 6004(h), this Order shall be effective and enforceable immediately upon entry hereof.

5. Pursuant to D.N.J. LBR 9013-5(e), any party may move for modification of this Order.

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DEBTOR: L'Occitane, Inc.

CASE NO: 21-10632-MBK

CAPTION: Order Authorizing (I) Rejection of Certain Unexpired Leases of Nonresidential Real Property Pursuant to 11 U.S.C. §365 and Fed. R. Bankr. P. 6004 and 6006, (II) Abandonment of Any Personal Property, Effective as of the Rejection Date, and (III) Granting Related Relief

6. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Schedule 1

List of Leases to be Rejected

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L209	170 Fifth Retail Condo LLC c/o Ranger Properties, LLC	170 Fifth Retail Condo LLC c/o Ranger Properties, LLC 11 West 25th Street, 6th Floor New York, NY 10010 Attention: Sheldon Stein	170 5th Avenue, New York, NY 10010	January 31, 2021
L206	85th Estates Company c/o Charles H. Greenthal Management Corp.	85th Estates Company c/o Charles H. Greenthal Management Corp. 4 Park Avenue New York, New York 10016	180 East 86th Street, New York, NY 10028	Petition Date
L035	AP Fillmore II	c/o Acadia Realty Trust 411 Theodore Fremd Avenue, Suite 300 Rye, NY 10580	2207 Fillmore Street, San Francisco, CA 94115	January 31, 2021
L242	Astor Strategic Venture, LLC	Astor Retail Strategic Venture, LLC c/o Vanbarton Services, LLC 292 Madison Avenue, 7th Floor New York, NY 10017	2151 Broadway, New York, NY 10023 Also known as 2159 Broadway, NY, NY 10023	January 31, 2021
L024	Bevill, Inc.	Bevill, Inc. c/o IDS Real Estate Group 515 S. Figueroa Street, 16th Floor Los Angeles, CA 90071	367 N. Beverly Drive, Beverly Hills, CA 90210	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L175	Biltmore Shopping Center Partners LLC c/o Macerich	<p>Biltmore Shopping Center Partners LLC #216 2502 East Camelback Road Phoenix, Arizona 85016 Attention: Center Manager</p> <p>Copy to:</p> <p>Biltmore Shopping Center Partners LLC c/o Macerich P.O. Box 2172 401 Wilshire Boulevard, Suite 700 Santa Monica, California 90407 Attention: Legal Department</p>	2514 E. Camelback Road Suite 100B, Phoenix, AZ 85016	January 31, 2021
L133	Boston Properties Limited Partnership	<p>Boston Properties Limited Partnership Lobby Level, Suite One Four Embarcadero Center San Francisco, CA 94111 Attention: Mr. Robert Pester</p> <p>Copy to:</p> <p>Boston Properties Limited Partnership 111 Huntington Avenue, Suite 300 Boston, Massachusetts 02199-7610 Attention: General Counsel</p> <p>and</p> <p>North Coast Law Group 6435 Mtn. View Ranch Rd. Healdsburg, CA 95448 Attention: Matthew P. Shippey, Esq.</p>	Embarcadero Center 2, Space 2110, San Francisco, CA 94111	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L287	Brookfield Properties	GGP Staten Island Mall, LLC c/o Timothy Peterson, Sr. Asset Recovery Analyst 350 N. Orleans, Suite 300 Chicago, IL 60654 And Brookfield Properties 2655 Richmond Ave, Space #1280, Staten Island, NY 10314 Attn: Joe Hope, VP, Leasing Copy to: Staten Island Mall – Phase I 2655 Richmond Avenue Staten Island, NY 10314 Attn: General Manager	One Province Place Province, Rhode Island 02903	January 31, 2021
L088	Caruso Affiliated Holdings	Caruso Affiliated Holdings 100 Wilshire Boulevard, Fourteenth Floor Santa Monica, California 90401 Facsimile No. 310-458-0212	4751 Commons Way, #K, Calabasas, CA 91302	January 31, 2021
L293	CBL & Associates Management, Inc.	CBL & Associates Management, Inc. CBL Center, Suite 500 2030 Hamilton Place Boulevard Chattanooga, TN 37421-6000	3401 Nicholasville Rd, Space #I-900, Lexington, KY 40503	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L320	Corte Madera Village, LLC c/o Macerich	Corte Madera Village, LLC 1618 Redwood Highway Corte Madera, CA 94925-1224 Attention: Center Manager Copy to: Corte Madera Village, LLC c/o Macerich P.O. Box 2172 401 Wilshire Boulevard, Suite 700 Santa Monica, CA 90407 Attn: Correspondence Routing System/Legal Department	1536 Redwood Hwy, Corte Madera, CA 94925	January 31, 2021
L225	Dr. Issac Levy	Dr, Issac Levy 9700 Oakmore Road Los Angeles, CA 90035 And 1237 3rd Street Promenade LLC 9700 Oakmore Road Los Angeles, CA 90035	1239 Third Street Promenade, Santa Monica, CA 90404	Petition Date

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L306	Elmwal Associates, LLC	<p>Elmwal Associates, LLC Stephen R. Lewinstein P.O. Box 962003 Boston, MA 02196</p> <p>copy to:</p> <p>David J. Tracy, Esq. Hinckley, Allen & Snyder LLP 50 Kennedy Plaza, 15th Floor Providence, Rhode Island 02903</p> <p>and</p> <p>Bruce Cotta Coastal Property Management 1341 West Main Road, #11 Middletown Rhode Island, 02840</p>	Long Wharf Mall Shopping Center, Space 'C', Newport, RI 02840	Petition Date
L219	Freemall Associates, LLC c/o Macerich	<p>Freemall Associates, LLC 3710 Route 9, Suite 1000 Freehold, NJ 07728-4895 Attention: Center Manager</p> <p>Copy to:</p> <p>Freemall Associates, LLC c/o Macerich P.O Box 2172 401 Wilshire Boulevard, Suite 700 Santa Monica, CA 90407 Attention: Legal Department</p>	3710 US Highway 9 #C116, Freehold, NJ 07726	January 31, 2021
L248	Jem 6 Realty LLC	Jem 6 Realty LLC 1124 Third Avenue New York, NY 10065	1126 Third Ave., New York NY 10065	Petition Date

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L324	JTRE-63 Spring Lafayette LLC	63 Spring Lafayette, LLC 362 Fifth Avenue, Suite 1200 New York, New York 10001 Copy to: Schiff Hardin LLP 666 Fifth Avenue New York, New York 10103 Attention: Ivan W. Moskowitz, Esq.	63 Spring Street, New York, NY 10012	January 31, 2021
L289	Lincoln Center Associates, LLC	Lincoln Center Associates, LLC 1300 Collins Avenue, Suite 100 Miami Beach, Florida 33139	640 Lincoln Road Miami, FL 33139	January 31, 2021
L089	Malibu Country Mart, Ltd. Koss Real Estate Investments	Malibu Country Mart, Ltd. Koss Real Estate Investments 12410 Santa Monica Blvd. Los Angeles, CA 90025	3900 Cross Creek Road, Malibu, CA 90265	Petition Date
L295	OMB Houston, L.P. c/o Festival Management Corporation	River Oaks District c/o Festival Management Corporation 5901 W. Century Blvd., Suite 700 Los Angeles, CA 90045 Attn: Property Management Department	4444 Westheimer Blvd. Space #E135, Houston, TX 77027	January 31, 2021
L003	One Ninety Realty Co.	One Ninety Realty Co. LLC 616 Palisade Avenue Englewood Cliffs, NJ 07632	198 Columbus Avenue, New York, NY 10023 (at 69th Street)	January 31, 2021
L253	Renaissance at Colony Park	Renaissance at Colony Park, LLC 125 S. Congress Street, Suite 1800 Jackson, MS 39201 Attn: Andrew Mattiace	1000 Highland Colony Pkwy, #9013 Ridgeland, MS 39157	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L245	Simon Property Group	<p>M.S. Management Associates Inc. 225 West Washington Street Indianapolis, Indiana 46204-3438</p> <p>And</p> <p>Simon Property Group Attn: Ryan Holtz 399 Park Avenue, 29th Floor New York, New York 10022</p> <p>And</p> <p>Diane Jones Legal Leasing Department Simon Property Group 225 West Washington Street Indianapolis, IN 46204</p>	100 Briarwood Circle, Space #G111, Ann Arbor, MI 48108	January 31, 2021
L274	Simon Property Group	<p>Mall at Smith Haven, LLC c/o M.S. Management Associates Inc. 225 West Washington Street Indianapolis, Indiana 46204-3438</p> <p>Simon Property Group Attn: Ryan Holtz 399 Park Avenue, 29th Floor New York, New York 10022</p> <p>And</p> <p>Diane Jones Legal Leasing Department Simon Property Group 225 West Washington Street Indianapolis, IN 46204</p>	313 Smith Haven Mall, Space C -09, Lake Grove, NY 11755	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L256	Simon Property Group	Shopping Center Associates c/o M.S. Management Associates Inc. 225 West Washington Street Indianapolis, Indiana 46204-3438 And Simon Property Group Attn: Ryan Holtz 399 Park Avenue, 29 th Floor New York, New York 10022 And Diane Jones Legal Leasing Department Simon Property Group 225 West Washington Street Indianapolis, IN 46204	55 Parsonage Rd., Space #2450 Edison, NJ 08837	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L302	Simon Property Group (Texas), L.P.	Simon Property Group (Texas), L.P. c/o M.S. Management Associates Inc. 225 West Washington Street Indianapolis, Indiana 46204-3438 And Simon Property Group Attn: Ryan Holtz 399 Park Avenue, 29 th Floor New York, New York 10022 And Diane Jones Legal Leasing Department Simon Property Group 225 West Washington Street Indianapolis, IN 46204	2200 S 10th St McAllen TX 78503-5437	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L228	Towson TC, LLC c/o Brookfield Properties	<p>Towson TC, LLC c/o Brookfield Properties Attn: Joe Hope, VP, Leasing One Province Place Province, Rhode Island 02903</p> <p>And</p> <p>Brookfield Properties c/o Timothy Peterson, Sr. Asset Recovery Analyst 350 N. Orleans, Suite 300 Chicago, IL 60654</p> <p>Copy to:</p> <p>Towson Town Center 825 Dulany Valley Road Towson, MD 21204 Attn: General Manager</p>	825 Dulany Valley Rd., #2111 Towson, MD 21204	January 31, 2021
L318	TRG IMP LLC c/o The Taubman Company LLC	<p>TRG IMP LLC PO Box 674979 Detroit, MI 48267</p> <p>And</p> <p>Michele L. Walton VP, Assistant General Counsel 200 E. Long Lake Rd, Suite 300. Bloomfield Hills, MI 48304</p> <p>And</p> <p>Dee Iloncai Senior Legal Leasing Assistant The Taubman Company LLC 200 E. Long Lake Rd., Suite 300 Bloomfield Hills, MI 48304</p>	2330 Kalakaua Ave, Space #140, Honolulu, HI 96815	January 31, 2021

Store #	Landlord/Counterparty	Address of Landlord	Real Property Address	Rejection Date
L288	WS Asset Management Attn: Joe Koechel, General manager Garden City Center 100 Midway Road, Suite 14 Cranston, Rhode Island 02920	Garden City Owner, LLC 33 Boylston Street Boston, Massachusetts 02467	8 Midway Road Cranston, RI 02920	January 31, 2021

List of Subleases to be Rejected

Store #	Sublessee/Counterparty	Address of Sublessee	Real Property Address	Rejection Date
L089	Gorjana & Griffin, Inc.	Gorjana & Griffin, Inc. 3275 Laguna Canyon Road Suite R1 Laguna Beach, California 92651	3900 Cross Creek Road, Malibu, CA, 90265	Petition Date